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8   **UNITED STATES DISTRICT COURT**

9   **CENTRAL DISTRICT OF CALIFORNIA**

10

11 Louis A. Coffelt, Jr.   )   Case No.:
            Plaintiff,   )
12   v.   )   **5:16-cv-00457 SJO(KK)**
)
13 Nvidia, Corporation,   )
            Defendant,   )
14   v.   )
)   **PLAINTIFF'S OPPOSITION TO**
15 Autodesk, Inc.,   )   **DEFENDANTS MOTION TO DISMISS**
            Defendant,   )   **RE: 35 U.S.C. § 101**
16   v.   )
)
17 Pixar,   )
            Defendant.   )   Date: June 20, 2016
18 _____   )   Time: 10:00 a.m.
                                   Courtroom 1, 2nd Floor
19   Hon. S. James Otero

20 TO: The Court,

21   Nvidia, Corporation,

22   Autodesk, Inc.,

23   Pixar,

24   NOTICE OF SEPARATE ACTIONS

25   The 3 separate Defendants filed a Motion to Dismiss

26 [docket No. 34], filed May 13, 2016 herein referred to as ("Motion")

27 based on 35 U.S.C. § 101, Inventions Patentable. In order to reduce a

28 quantity of duplicated work for this Court, Plaintiff Louis A.

1 Coffelt, Jr. ("Coffelt") respectfully submits this Opposition to the

2 Motion in one reply.

3   Coffelt reserves the right to have a separate trial for each

4 Defendant on all issues raised in this action.

TABLE OF AUTHORITIES

DEFINITIONS

9   Definitions are attached in EXHIBIT 403.

INTRODUCTION

11   Defendants Nvidia, Corporation ("Nvidia"), Autodesk, Inc.

12 ("Autodesk"), and Pixar filed the Motion based on 35 U.S.C. § 101 for

13 lack of patentable subject matter. The patent at issue is U.S. Patent

14 No. 8,614,710 ("710 patent").

15   Coffelt opposes the Motion.

16   Defendants have focused their contentions on mathematical

17 portions of Coffelt's patent claims, and contend that all claims are a

18 mathematical algorithm. Defendants have categorized Coffelt's claim 1

19 element ("a particular steradian region of space") as being

20 ("information"). Defendants have not explained how ("a particular

21 steradian region of space") is abstract, or mathematical equation,

22 which vitiates the entire Motion.

23   Coffelt's patent claims comprise real objects which identify

24 Coffelt's fundamental inventive concept. ("a particular steradian

25 region of space") is a real object having a particular shape, size,

26 and location. This particular steradian space, and a steradian radius

27 comprises Coffelt's inventive step.

28   Coffelt's claims also comprise the element ("steradian radius"),

1 which is an intrinsic component of the steradian region of space. The

2 Radius has a finite value, and imposes limits on the claim.

3 **COFFELT'S INVENTIVE STEP**

4 Coffelt's 710 patent includes a full, concise, and exact

5 description of Coffelt's inventive step:

6 ("A fundamental element of the present invention includes a

7 steradian. A steradian is a particular region of space with

8 a boundary defined by four vectors.")

9 *See* 710 patent at 2:45-2:50

10

11 ("Fig. 1 shows a perspective view of a steradian (5) in a

12 right-handed 3 dimensional coordinate system....Steradian (5)

13 is a region of space between these four boundary vectors,

14 vector (6), vector (7), vector (8), and vector (9).")

15 *See* 710 patent at 3:3-3:9

16 The 710 patent specification and drawings expressly describe

17 that Coffelt's claimed invention comprises a steradian having a

18 particular size, particular shape, and particular location. This

19 steradian shape provides that numerous adjacent uniform steradian

20 regions may exist. Each steradian region may have the same size and

21 shape. *See* id.

22 This assembly of Coffelt's claimed steradian region of space

23 provides that work can be executed on the steradian space. The work

24 comprises the novel result of realistic high resolution complex 3D

25 shadows.

26 ("a computer calculating a particular steradian radius . . .")

27 *See* 710 patent at 13:15

28 An additional component of Coffelt's Inventive Step comprises the

1 ("steradian radius"). The Radius provides that, for the assembly of

2 numerous steradian regions, a steradian density, steradian column

3 index, and steradian row index may be derived. These values provide

4 that a computer program can map [save in memory] the potentially

5 billions of bytes of data pertaining to shadow derivation.

6   Evidence of Coffelt's novel results is provided in the complaint

7 [docket 1], EXHIBIT 3, and EXHIBIT 4; Coffelt's Program [docket 26];

8 Coffelt's explanation of Coffelt's Program [docket 27].

9   To emphasize Coffelt's inventive step, more than 35 years of

10 failed attempts have been directed to the 2 dimensional shadow map.

11 One reason for these failures is, the 2 dimensional shadow map is

12 comprised of numerous non-uniform regions of space.

13   In comparison, Coffelt's inventive step comprises a particular

14 steradian region of space, which enables numerous uniform adjacent

15 steradian regions of space may exist. Coffelt's inventive step has

16 created realistic complex 3D shadows, whereas for the past 35 years,

17 the prior art has been limited to only 2 dimensional shadows.

18   **710 PATENT CLAIM 1**

19   **("a computer calculating a particular steradian region of space;")**

20   *See* 710 patent at 13:13

21   *See* 710 patent at 2:45-2:50

22   *See* 710 patent at 3:3-3:9

23   For these reasons at the above 3 id., a meaning of this Claim 1

24 element [*See* id.] comprises, not limited to:

25   **(**"a computer calculating **[a boundary of]** a particular steradian

26   region of space **[which brings a particular steradian region of**

27   **space into existence];")**

28   The 710 patent specification, and Fig. 1 expressly shows the

1 vectors comprise a boundary of steradian space. Therefore, in this

2 Claim 1 element, ("calculating")[*See* id.] means, not limited to

3 ("calculating a boundary of"). This Claim 1 element [*See* id.] clearly

4 does not contain functional terms, or intended use terms.

5   For all of the above reasons, a computer calculation [*See* id.]

6 brings a particular steradian space, size, shape, and location into

7 existence in claim 1.

8

9   **(".. A steradian is a particular region of space...")**

10   *See* 710 patent at 2:45-2:50

11   ("space") exists literally in claim 1 *See* 710 patent at 13:13

12 *See* EXHIBIT 403.

13

14   For all of the above reasons, claim 1 terms

15 ("calculating")[*See* id.] and ("particular")[*See* id.] transforms

16 ("general space") into a ("particular steradian region of space").

17 Now, work can be executed on the steradian space, as shown in the

18 following:

19 **("a computer calculating a particular steradian radius of said**

20   **steradian region of space;")** *See* 710 patent at 13:15

21   This element positively recites back to the declaration of the

22 steradian space *See* 710 patent at 13:13. The ("steradian radius") is

23 an intrinsic component of the steradian space. This Radius provides

24 that steradian space density, steradian column index, and steradian

25 row index can be derived.

26

27 **("a computer calculating that said first position vector is located**

28   **in said steradian region of space;");** *See* 710 patent at 13:17

1   This element positively recites back to the declaration of the

2   steradian space. *See* 710 patent at 13:13

3

4   **("a computer calculating that said second position vector is**

5   **located in said steradian region of space;")**

6   *See* 710 patent at 13:21

7   This element positively recites back to the declaration of the

8   steradian space. *See* 710 patent at 13:13

9   For the above reasons, claim 1 element

10   **("a particular steradian region of space;")**

11   [*See* id.]

12   is a real 3 dimensional physical object.

13

14   The 710 patent claim 1 comprises a series of steps, including:

15   1. creating ("a particular steradian region of space");

16   2. creating ("a steradian radius")

17   For the above reasons, Coffelt's Claim 1 is a process, which is

18   one of the statutory categories of patentable inventions in

19   35 U.S.C. § 101.

20

21   For all of the above reasons, Coffelt's 710 patent Claim 1

22   includes an Inventive Step, and Real Physical Objects.

23

24   For all of the above reasons, Coffelt's claim 1 is not a judicial

25   exception to 35 U.S.C. § 101. Claim 1 is not abstract. All remaining

26   claims in the 710 patent are dependent on claim 1. Therefore, all

27   remaining claims in the 710 patent are not abstract.

28   For all the above reasons, All claims in Coffelt's 710 patent are

1 in accordance with 35 U.S.C. § 101, Inventions Patentable.

2   **COFFELT'S USPTO PROSECUTION HISTORY**

3   A review of the 710 patent prosecution history shows the United

4 States Patent and Trademark Office ("USPTO") entered a rejection based

5 on 35 U.S.C. § 101 Inventions Patentable. The USPTO indicated the

6 claims are rejected under 35 U.S.C. § 101 based on the opinion that

7 Coffelt's claims are abstract.

8   In the Detailed Action, Date 5/23/13, the Examiner used a

9 ("machine-or-transformation") test as a basis for the 35 U.S.C. § 101

10 claim rejection. Also in the Detailed Action, at page 3, The Examiner

11 states

12   *("It is noted that, while the machine-or-transformation test is an*

13   *important tool in determining whether a claim is directed to an*

14   *abstract idea,* **it is not the only tool.** *Thus, if applicant*

15   *believes the above claims are not directed to abstract ideas, even*

16   *though they fail the machine-or-transformation test, applicant*

17   *should specifically set out reasons for this in reply to this*

18   *action.")*

19   *See* Final Office Action of May 28, 2013 at 3

20

21   The above statement by the Examiner shows there is some degree of

22 uncertainty about the 35 U.S.C. § 101 rejection. In his admission [as

23 stated above] the Examiner did not use all tools available to

24 determine validity of the rejection. For these reasons, the Examiner's

25 35 U.S.C. 101 rejection, is inconclusive.

26   At the time of preparing a reply to the above-identified § 101

27 rejection, Coffelt had a belief that the 35 U.S.C. § 101 rejection was

28 inconclusive. However, Coffelt was uncertain about how to contend that

1   the claims are not abstract. Coffelt was faced with 2 options, either

2   submit an uncertain reply that the claims are not abstract, or add the

3   element ("a computer"). At the time of preparing the reply, Coffelt

4   believed the only suitable option was to amend claim 1 by adding

5   ("a computer").

6   **BASIS FOR OPPOSITION TO MOTION**

7   **35 U.S.C. 282 Presumption of validity**

8   (a) In General.——

9   A patent shall be presumed valid. Each claim of a patent (whether in

10   independent, dependent, or multiple dependent form) shall be

11   presumed valid independently of the validity of other claims;

12   dependent or multiple dependent claims shall be presumed valid even

13   though dependent upon an invalid claim. The burden of establishing

14   invalidity of a patent or any claim thereof shall rest on the party

15   asserting such invalidity. ——

16

17   Defendants entire motion is based on a theory that Coffelt's

18   710 patent claims are abstract, except for a computer.

19   Defendants categorize

20   ("a steradian region") is ("information")

21   *See* the Motion [docket 34-1, at 14, line 3]

22

23   According to Coffelt's 710 patent and extrinsic definition

24   EXHIBIT 403, ("space") is ("a volume"). According to 710 patent, and

25   definition EXHIBIT 403, ("a particular steradian region of space")

26   comprises, not limited to: ("a volume having a particular size;

27   particular shape; and a particular location").

28   ("space") is a region, and real object, we all exist in.

1   For all of the above reasons,

2   (**"a particular steradian region of space"**) is not (**"information"**)

3   (**"a particular steradian region of space"**) is not (**"abstract"**)

4

5   Defendants have not explained how ("space") is ("information").

6   Defendants have not explained how ("space") is ("abstract").

7

8   "the mere recitation of a generic computer cannot transform

9   a patent-ineligible abstract idea into a patent-eligible

10   invention." See Alice, 134 S. Ct. at 2358

11   *See* the Motion [docket 34-1, at 9, line 23]

12   For all of the above reasons, Coffelt's claim 1 includes an

13   Inventive Step, and Real Objects. For all of the above reasons, this

14   section of Alice above, is not pertinent to Defendants Motion.

15

16   ("The mathematical formula involved here has no substantial

17   practical application except in connection with a digital

18   computer,…") See Gottschalk v. Benson, 409 U.S. 63, 71-72 (1972)

19   *See* the Motion [docket 34-1, at 11, line 25]

20   For all of the above reasons, Coffelt's claim 1 includes an

21   Inventive Step, and Real Objects. For all of the above reasons, this

22   section of Gottschalk above, is not pertinent to Defendants Motion.

23

24   (the first step in the Alice analysis is to "determine whether the

25   claims at issue are directed to one of those patent-ineligible

26   concepts," such as an "abstract idea").

27   See Alice, 134 S. Ct. at 2355

28   *See* the Motion [docket 34-1, at 12, line 8]

1   For all of the above reasons, the above-identified ("first step")

2   in Alice concludes that Coffelt's claim 1 is not abstract.

3   ("if a claim is directed essentially to a method of calculating,

4   using a mathematical formula, even if the solution is for a

5   specific purpose, the claimed method is nonstatutory").

6   See Parker v. Flook, 437 U.S. 584, 595 (1978)

7   *See* the Motion [docket 34-1, at 12, line 11]

8   For all of the above reasons, Coffelt's claim 1 includes an

9   Inventive Step, and Real Objects. For all of the above reasons,

10 Coffelt's claim 1 is Not essentially a mathematical formula.

11 For all of the above reasons, this section of Parker above is not

12 pertinent to the Motion.

13

14 see also Intellectual, 2015 U.S. Dist. LEXIS 129153, at *95

15 ("The steps recited in method claim 1 merely express a mathematical

16 algorithm.")

17 *See* the Motion [docket 34-1, at 12, line 16]

18 For all of the above reasons, Coffelt's claim 1 includes an

19 Inventive Step, and Real Objects. For all of the above reasons,

20 Defendants statement above [*See* id.] is incorrect.

21

22 ("Using mathematical equations or code sequences … and implementing

23 those code sequences on a generic computer does not make the

24 underlying idea to which the Patent is directed any less

25 abstract."). see also Intellectual Ventures I LLC v. Erie

26 Indemnity Co., 2015 U.S. Dist. LEXIS 129153, at * 95 (W.D. Pa.

27 Sept. 25, 2015)

28 *See* the Motion [docket 34-1, at 13, line 7]

1   For all of the above reasons, Coffelt's claim 1 includes an

2 Inventive Step, and Real Objects. For all of the above reasons, this

3 section of Intellectual is not pertinent to Defendants Motion.

4   see also Intellectual, 2015 U.S. Dist. LEXIS 129153, at *95

5   (implementing mathematical equations or code sequences on generic

6   computer not patentable).

7   *See* the Motion [docket 34-1, at 13, line 28]

8   For all of the above reasons, Coffelt's claim 1 includes an

9 Inventive Step, and Real Objects. For all of the above reasons,

10 Coffelt's claim 1 is Not a mathematical equation. For all of the above

11 reasons, this section of Intellectual above is not pertinent to the

12 Motion.

13

14   ("Because claim 1 only recites steps that constitute a mathematical

15   algorithm to manipulate existing information (vectors, steradian

16   region, the spatial relationship between the vectors and the

17   steradian region, and the length relationship between the two

18   vectors")

19   *See* the Motion [docket 34-1, at 14, line 2]

20   For all of the above reasons, Coffelt's claim 1 includes an

21 Inventive Step, and Real Objects.   For all of the above reasons,

22 Defendants statement that Coffelt's claim 1 is only a mathematical

23 algorithm is incorrect.

24

25   See Digitech Image Techs., LLC v. EFI, Inc., 758 F.3d 1344, 1351

26   (Fed. Cir. 2014)("Without additional limitations, a process that

27   employs mathematical algorithms to manipulate existing information

28   to generate additional information is not patent eligible.").

1   *See* the Motion [docket 34-1, at 14, line 6]

2   For all of the above reasons, Coffelt's claim 1 contains

3 additional limitations. For all of the above reasons, Coffelt's claim

4 1 includes an Inventive Step, and Real Objects. For all of the above

5 reasons, this section of Digitech Image Techs., LLC is not pertinent

6 to Defendants Motion.

7

8   ("the Supreme Court determined to be patent ineligible in Benson.7

9   . . . Both are unpatentable as they recite nothing more than a

10   series of steps to execute a mathematical algorithm.")

11   *See* the Motion [docket 34-1, at 14, line 12]

12   For all of the above reasons, Coffelt's claim 1 includes an

13 Inventive Step, and Real Objects. For all of the above reasons, this

14 section of Benson above is not pertinent to Defendants Motion.

15

16   See Parker, 437 U.S. at 595 n.18 ("Very simply, our holding today is

17   that a claim for an improved method of calculation, even when tied

18   to a specific end use, is unpatentable subject matter under

19   § 101.").

20   *See* the Motion [docket 34-1, at 15, line 5]

21   For all of the above reasons, Coffelt's claim 1 includes an

22 Inventive Step, and Real Objects. For all of the above reasons,

23 Coffelt's claim 1 is Not merely ("an improved method of calculation")

24 or equivalent. For all of the above reasons, this section of Parker

25 above is not pertinent to Defendants Motion.

26

27   ("The prosecution history further confirms that the recited steps in

28   method claim 1 constitute a mathematical algorithm.")

1   *See* the Motion [docket 34-1, at 15, line 11]

2   For all of the above reasons above in COFFELT'S USPTO PROSECUTION

3   HISTORY contentions [at page 7], the prosecution history does Not

4   confirm claim 1 is a mathematical algorithm. For all of the above

5   reasons [at page 7], , the Examiner's 35 U.S.C. § 101 rejection is

6   inconclusive.

7

8   ("The PTO also stated that the pending claims are abstract because

9   the mathematical "calculations claimed can be done by a human

10   mentally or with a pen and paper." See Office Action of Jan. 31,

11   2013 at 2; Cybersource Corp. v. Retail Decisions, Inc., 654 F.3d

12   1366, 1372, 1373(Fed. Cir. 2011) ("a method that can be performed

13   by human thought alone is merely an abstract idea and is not

14   patent-eligible under § 101").")

15   *See* the Motion [docket 34-1, at 15, line 16]

16   For all of the above reasons, Coffelt's claim 1 includes an

17   Inventive Step, and Real Objects. For all of the above reasons, the

18   USPTO Examiner's contention "calculations claimed can be done by a

19   human mentally or with a pen and paper." [identified above] is

20   incorrect.

21

22   ("See Office Action of Jan. 31, 2013 at 2; Cybersource Corp. v.

23   Retail Decisions, Inc., 654 F.3d 1366, 1372, 1373(Fed. Cir. 2011)

24   ("a method that can be performed by human thought alone is merely

25   an abstract idea and is not patent-eligible under § 101").")

26   *See* the Motion [docket 34-1, at 15, line 18]

27   For all of the above reasons, Coffelt's claim 1 includes an

28   Inventive Step, and Real Objects. For all of the above reasons, the

1 steps of Coffelt's claim 1 can not be performed by human thought

2 alone. For all of the above reasons, this section of Cybersource Corp.

3 is not pertinent to Defendants Motion.

4

5   ("See Alice, 134 S. Ct. at 2358 ("[T]he mere recitation of a generic

6   computer cannot transform a patent ineligible abstract idea into a

7   patent eligible invention."); Dealertrack, Inc. v. Huber, 674 F.3d

8   1315, 1333-34 (Fed. Cir. 2012) ("Simply adding a 'computer aided'

9   limitation to a claim covering an abstract concept, without more,

10   is insufficient to render the claim patent eligible.").")

11   *See* the Motion [docket 34-1, at 16, line 11]

12   For all of the above reasons, Coffelt's claim 1 includes an

13 Inventive Step, and Real Objects. For all of the above reasons,

14 Coffelt's claim 1 is not abstract. For all of the above reasons, this

15 section of Alice and Dealertrack is not pertinent to Defendants

16 Motion.

17

18   ("The asserted claims also fail the second step of the Alice test

19   because they contain no "inventive concept," ")

20   *See* the Motion [docket 34-1, at 16, line 25]

21   For all of the above reasons, Coffelt's claim 1 includes an

22 Inventive Step, and Real Objects. For all of the above reasons,

23 the above-identified [*See* id.] Defendants contentions is incorrect.

24

25   ("See Alice, 134 S. Ct. at 2355 ("We have described step two of this

26   analysis as a search for an inventive concept -- i.e., an element or

27   combination of elements that is sufficient to ensure that the patent

28   in practice amounts to significantly more than a patent upon the

1   ineligible concept itself.") (internal quotation marks and brackets

2   omitted). Rather, the claims do nothing more than state the abstract

3   idea to be applied using a generic "computer." See Alice, 134 S. Ct.

4   at 2357-60 (implementing abstract idea on conventional computers

5   does not impart patent eligibility); OIP Techs., Inc. v. Amazon.com,

6   Inc., 788 F.3d 1359, 1363 (Fed. Cir. 2015) (invalidating claims

7   directed to implementing abstract idea "on a generic computer"). ")

8   *See* the Motion [docket 34-1, at 17, line 1]

9   For all of the above reasons, Coffelt's claim 1 includes an

10   Inventive Step, and Real Objects. For all of the above reasons,

11   Coffelt's claim 1 is not abstract. For all of the above reasons, this

12   sections of Alice and OIP Techs., is not pertinent to Defendants

13   Motion.

14

15   ("The only conceivable technical or computer-related element in claim

16   1 is the generic "computer" for performing the algorithm, which the

17   PTO had incorrectly deemed sufficient to confer patent eligibility

18   before Alice clarified the law. See Accenture Global Servs., GmbH v.

19   Guidewire Software, Inc., 728 F.3d 1336, 1345 (Fed. Cir. 2013) ("the

20   important inquiry for a § 101 analysis is to look to the claim"),

21   cert. denied (2014). Given that the claim lacks any information about

22   how the computer is programmed to perform the algorithm, it imparts

23   no "inventive concept" to the abstract idea. See Alice, 134 S. Ct. at

24   2357 ("the computer implementation did not supply the necessary

25   inventive concept … simply implementing a mathematical principle on a

26   physical machine, namely a computer, [i]s not a patentable

27   application of that principle."); Dealertrack, 674 F.3d at 1333

28   (ineligible claims failed to "specify how the computer [components]

1 are specially programmed to perform" the abstract idea of an

2 information clearinghouse).

3   *See* the Motion [docket 34-1, at 17, line 13]

4   For all of the above reasons, Coffelt's claim 1 includes an

5 Inventive Step, and Real Objects. For all of the above reasons,

6 Coffelt's claim 1 is not abstract. For all of the above reasons,

7 Defendants contention [*See* id.] is incorrect. For all of the above

8 reasons, the above-identified sections of Alice, Accenture Global

9 Servs., GmbH, and Dealertrack are not pertinent to Defendants Motion.

10

11 ("Williamson v. Citrix Online, LLC, et al., No. CV 11-02409 SJO

12   (JEMx), slip op. at 13 (C.D. Cal. Feb. 17, 2016) ("the preferred

13   embodiment of the invention uses 'industry-standard personal

14   computer systems' … Given the ubiquity of computers, wholly generic

15   computer implementation is not generally the sort of 'additional

16   featur[e]' that provides any 'practical assurance that the process

17   is more than a drafting effort designed to monopolize the [abstract

18   idea] itself.'"). ")

19   *See* the Motion [docket 34-1, at 18, line 4]

20   For all of the above reasons, Coffelt's claim 1 includes an

21 Inventive Step, and Real Objects. For all of the above reasons,

22 Coffelt's claim 1 is not abstract. For all of the above reasons, the

23 above-identified sections of Williamson is not pertinent to Defendants

24 Motion.

25

26 ("See Alice, 134 S. Ct. at 2359. Thus, viewed as a whole, method

27   claim 1 simply recites a mathematical algorithm performed by a

28   generic computer. See id. ("In short, each step does no more than

require a generic computer to perform generic computer functions.").

   See the Motion [docket 34-1, at 18, line 13]

    For all of the above reasons, Coffelt's claim 1 includes an Inventive Step, and Real Objects. For all of the above reasons, Coffelt's claim 1 is not merely a mathematical algorithm. For all of the above reasons, the above-identified sections of Alice is not pertinent to Defendants Motion.

  ("Claims 2-6 also recite patent-ineligible mathematical algorithms, which either include an added step in the mathematical algorithm recited in claim 1 or describe the environment for the mathematical calculations. Also similar to claim 1, claims 2-6 recite nothing more than a generic computer on which the mathematical algorithm executes. ")

   See the Motion [docket 34-1, at 18, line 19]

    through [docket 34-1, at 20, line 11]

    For all of the above reasons, Coffelt's claim 1, and dependent claims 2-6 each include an Inventive Step, and Real Objects. For all of the above reasons, Coffelt's claim 1, and claims 2-6 are not abstract. For all of the above reasons, Defendants contention at [docket 34-1, at 18, line 19] through [docket 34-1, at 20, line 11] is incorrect. For all of the above reasons, the above identified section of Hewlett Packard Co., Alice, and Content Extraction, are not pertinent to Defendants Motion.

CONCLUSION

   Defendants entire motion relies on the theory that Coffelt's 710 patent claims are either abstract, only a mathematical algorithm, or contain no inventive concept.

1   Coffelt has clearly shown that Coffelt's 710 patent claims

2 contain both an Inventive Step, and Real Objects. Coffelt's particular

3 steradian region of space is not abstract. Space is not abstract.

4   Coffelt has answered each contention and each authority in

5 Defendants Motion which clearly shows there is no legal basis

6 supporting the Motion.

7   For all of the above reasons, Plaintiff Coffelt believes the

8 Defendants Motion to Dismiss [docket No. 34] filed 5/13/2016, should

9 be denied.

10

11

12 Date: **May 20, 2016**   By /s/ Louis A. Coffelt, Jr.

13   Plaintiff

14   In Pro Per

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CERTIFICATE OF SERVICE

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6

I hereby certify that on the 20th day of May, 2016, I electronically filed the foregoing document, PLAINTIFF'S OPPOSITION TO DEFENDANTS MOTION TO DISMISS RE: 35 U.S.C. § 101 with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following attorneys of record who have consented to accept this Notice as service of this document by electronic means:

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